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Rules, Regulations, Orders

TITLE 7—AGRICULTURE

CHAPTER VIII—SUGAR DIVISION OF THE AGRICULTURAL ADJUSTMENT ADMINISTRATION

PART 821—SUGAR MARKETING QUOTAS

SUPPLEMENT TO DECISION AND ORDER OF THE SECRETARY OF AGRICULTURE ALLOTING THE 1941 SUGAR QUOTA FOR THE DOMESTIC BEET SUGAR AREA

Pursuant to § 821.53¹ of the "Decision and Order of the Secretary of Agriculture Allotting the 1941 Sugar Quota for the Domestic Beet Sugar Area", dated May 9, 1941, and the increase in the 1941 sugar quota for the domestic beet sugar area of 63,471 short tons of sugar, raw value, set forth in General Sugar Quota Regulations, Series 8, No. 1, Revision 2, dated June 27, 1941,² a quantity of sugar equal to such increase is hereby prorated as follows:

Processor	Additional allotment (short tons, raw value)
The Amalgamated Sugar Co.	5,917
American Crystal Sugar Co.	18,514
Franklin County Sugar Company	301
The Garden City Company	1,195
Great Lakes Sugar Company	3,038
The Great Western Sugar Company	16,952
Holly Sugar Corporation	1,535
Los Alamitos Sugar Company	1,703
Menominee Sugar Company	977
Michigan Sugar Company	2,854
The National Sugar Manufacturing Co.	364
Ohio Sugar Co.	416
Paulding Sugar Company	293
Spreckels Sugar Co.	872
Superior Sugar Refining Co.	1,201
Union Sugar Co.	1,042
Utah-Idaho Sugar Co.	6,297
Others	0

Total 63,471

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 8th day of July 1941.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 41-4873; Filed, July 9, 1941; 11:13 a. m.]

¹ 6 F. R. 2365.
² 6 F. R. 3165.

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

CHAPTER II—AGRICULTURAL MARKETING SERVICE

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

NOTICE RELATIVE TO FARM SAVING STOCKYARDS, INC., SAINT LOUIS, MISSOURI¹

JULY 9, 1941.

Notice is hereby given that after inquiry, as provided by section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C. sec 202 (b)), it has been ascertained by me that the stockyard known as the Farm Saving Stockyards, Inc., at Saint Louis, State of Missouri, is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to sections 303 and 306 (7 U.S.C. secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 41-4871; Filed, July 9, 1941; 11:13 a. m.]

TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

[T.D. 50424]

PART 4—APPLICATION OF CUSTOMS LAWS TO AIR COMMERCE

CERTAIN AIRPORTS REDESIGNATED AS AIRPORTS OF ENTRY FOR A PERIOD OF ONE YEAR²

The following-named airports are hereby redesignated as airports of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act

¹ Modifies list posted stockyards 9 CFR 204.1.

² This document affects the tabulation in 19 CFR 4.13.

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of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from the dates shown opposite their names:

Name	Location	Date of re-designation
Bangor Municipal Airport.	Bangor, Maine.	June 26, 1941
Burlington Municipal Airport.	Burlington, Vt.	June 29, 1941
Niagara Falls Municipal Airport.	Niagara Falls, N. Y.	July 2, 1941
Fort Yukon Airfield.	Fort Yukon, Alaska.	July 6, 1941

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C., 177 (b))
July 3, 1941.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 41-4858; Filed, July 9, 1941; 9:13 a. m.]

TITLE 30—MINERAL RESOURCES CHAPTER III—BITUMINOUS COAL DIVISION

[Order No. 330]

PART 308—REPORTS AND RECORDS

AN ORDER TEMPORARILY CONDITIONALLY RELIEVING REGISTERED DISTRIBUTORS IN CANADA FROM THE PROVISIONS OF ORDER NO. 325, AS AMENDED BY ORDER NO. 328

The Coal Administrator of the War Time Prices and Trade Board of Canada having requested, by telegram, dated June 26, 1941, the Bituminous Coal Division of the United States Department of the Interior to suspend the provisions of Order No. 325, as amended by Order No. 328, in so far as they affect distributors engaged in business in Canada, for the same reasons and under the same conditions as outlined in a previous

request with respect to Orders Nos. 313 and 314, and upon which Order No. 326 was issued; and

It appearing that it is desirable under such conditions to relieve registered distributors in Canada, who comply fully with the terms and provisions of Order No. 326, 6 F.R. 2985, from the provisions of § 308.23 (*Purchases and resales by registered distributors*) [Order No. 325, 6 F.R. 2951], as amended by Order No. 308, 6 F.R. 3114, until further order of the Director.

Accordingly, it is so ordered.

Dated: July 8, 1941.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-4870; Filed, July 9, 1941; 10:14 a. m.]

[Docket No. A-819]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD 1 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 1

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

The Director finding that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The Director deeming his action necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter, and applications to stay, terminate or modify the temporary relief herein granted, may be filed

with the Division within forty-five (45) days from the date of this Order, pursuant to Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless the Director shall otherwise order.
Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[Docket No. A-901]

PART 331—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 11

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 11 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR COALS PRODUCED FOR TRUCK SHIPMENT BY CERTAIN MINES IN DISTRICT NO. 11

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for coals produced for truck shipment by certain mines in District No. 11, which coals have not heretofore been so classified and priced; and

The Director finding that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with this Division in the above-entitled matter; and

The Director deeming his action necessary in order to effectuate the purposes of the Act:

Now, therefore, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.21 (General prices in cents per net ton for shipment into all market areas) in the Schedule of Effective Minimum Prices for District No. 11 for Truck Shipments is supplemented to include the price classifications and minimum prices set forth in the Schedule marked Supplement T, hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter, and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless the Director shall otherwise order.

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine index No.	Code member	Mine name	Sub-Dist. No.	Seam	Freight origin group No.	1	2	3	4	5
1264	Davidson, Dickey & Lyons (Clyde F. Dickey).	Davidson.....	7	D.....	50	(†)	(†)	F	(†)	(†)
3084	Greig, James.....	Greig-Pretoria.....	32	B.....	100	(†)	(†)	E	(†)	(†)
3136	Heaton, John.....	Fisher #3.....	39	Twin Bed.....	43	(†)	(†)	F	(†)	(†)
3137	Lilly-Benscreek Coal Co.....	Lilly-Benscreek #2.....	31	B.....	49	(†)	(†)	A	(†)	(†)
2637	Patterson & Williams (Arthur Williams).	Wilpat.....	14	B.....	45	(†)	(†)	E	(†)	(†)
2940	Pusey, Calvin.....	Nugent #2.....	13	D.....	45	(†)	(†)	D	(†)	(†)
2010	Schwab, F. J. (Schwab Coal Co.).....	Schwab.....	17	C.....	44	(†)	(†)	E	(†)	(†)
2978	Slogoskie & Switala (Joseph Switala).	Miller's Run.....	21	D.....	45	(†)	(†)	F	(†)	(†)
489	Stratiff, D. W.....	Stratiff #6.....	4	B.....	75	(†)	(†)	(*)	H	H

*Indicates coal in this size group previously classified and priced.

†Indicates no classifications effective for these size groups.

FOR TRUCK SHIPMENTS

§ 321.24 General prices—Supplement T

Code member index	Mine index No.	Mine	Sub. dist. No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2" and under	Run of mine modified R/M	2" and under slack	3/4" and under slack
						1	2	3	4	5
Campbell, Joseph T.....	3130	Campbell.....	44	Garrett.....	C.....			210		
Desmond & Rauch Coal Co. (William F. Desmond).	2708	Desmond & Rauch.....	3	Clinton.....	B.....	260	235	(*)	225	215
Forsberg, Theodore.....	1383	Forsberg.....	6	Jefferson.....	D.....			(*)	215	205
Heaton, John.....	3136	Fisher #3.....	39	Huntingdon.....	Twin Bed.....			220		
Himes, R. M.....	1511	Himes.....	6	Jefferson.....	D.....	250	225	(*)	215	205
Lilly-Benscreek Coal Co.....	3137	Lilly-Benscreek #2.....	31	Cambria.....	B.....			245		
Pearce, Ira D.....	3128	Pearce Coal Co.....	13	Clearfield.....	D.....			230		
Phillips Brothers (Clair Phillips).	3113	Phillips.....	14	Clearfield.....	C.....			220		
Weigle, Hugh & Guy (Guy Weigle).	2611	Weigle.....	37	Somerset.....	D.....	250		(*)	215	

*Indicates coal in this size group previously classified and priced.

[F. R. Doc. 41-4847; Filed, July 8, 1941; 10:23 a. m.]

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this "Supplement T" is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and Supplements thereto.

FOR TRUCK SHIPMENTS

§ 331.21 General prices in cents per net ton for shipment into all market areas—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos.																	
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Fugitt, John H.	133	Fugitt	5	250	245	240	230	225	220	180	185	175	170	150	140	85	55				
Bettinger, Elmer C.	134	Gilliam	5	250	245	240	230	225	220	180	185	175	170	150	140	85	55				

[F. R. Doc. 41-4848; Filed, July 8, 1941; 10:24 a. m.]

[Docket No. A-911]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 14 FOR THE ESTABLISHMENT OF ADDITIONAL PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS PRODUCED AT MINE INDEX NO. 107 IN DISTRICT NO. 14

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of additional price classifications and minimum prices for the coals produced at Mine Index No. 107 in District No. 14; and

The Director finding that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The Director deeming his action necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (Alphabetical list of code members) is amended by adding thereto Supplement R and § 334.24 (General prices for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter, and applications to stay, terminate or modify the temporary relief herein granted, may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless the Director shall otherwise order.

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 334.5 Alphabetical list of code members—Supplement R

Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel)

Mine index No.	Code member	Mine name	Prod. group	Frt. origin No.	Price classification group															
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
107	Sugar Creek Coal Company, Inc.	Sugar Creek Coal Co.	9	10																

TRUCK SHIPMENTS

§ 334.24 General prices for shipment into all market areas—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	County	Sub-dist. No.	Prices and size group Nos.															
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Sugar Creek Coal Co., Inc.	107	Sugar Creek Coal Co.	LeFlore	9																

[F. R. Doc. 41-4849; Filed, July 8, 1941; 10:24 a. m.]

[Docket No. A-919]

PART 335—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 15

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 15 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR TRUCK SHIPMENT FOR THE COALS PRODUCED AT CERTAIN MINES IN DISTRICT NO. 15

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for truck shipment for the coals produced at the mines of certain code members in District No. 15; and

The Acting Director finding that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The Acting Director deeming his action necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 335.24 (*General prices in cents per net ton for shipment into all market areas*) in the Schedule of Effective Minimum Prices for District No. 15, For Truck Shipments, is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Supplement T", hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter, and applications to stay, terminate or modify the temporary relief herein granted, may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless the Director shall otherwise order.

Dated: July 1, 1941.

[SEAL]

DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in this "Supplement T" is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and Supplements thereto.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas—*
Supplement T

Code member index	Mine index No.	Mine	Prod. group No.	County															
					3" lump	3 1/2" up	10" x 1 1/2"	10" x 1 1/4"	3" x 2"	3" x 1 1/2"	2" x 1 1/2"	1 1/4" x 1"	Mine run	3" x 0	1 1/4" x 3/8"	1 1/4" x 1/2" (R)	1 1/4" x 0 (W)	1 1/4" x 0 (R)	1 1/4" x 0
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Coal Creek Coal Co. (Dale George)	1439	Coal Creek Coal Co.	10	Okmulgee, Okla.	360	360	360	315	---	270	---	160	235	140	150	---	---	115	---
Hoover & West (Wm. Hoover)	1423	Hurliman	3	Putnam, Mo.	230	230	230	230	230	215	200	190	230	185	210	195	---	135	35
Kimberling, W. C.	1443	---	3	Howard, Mo.	230	230	230	230	215	205	195	185	210	180	185	170	170	110	35
Moats, Frank	1440	Brown	1	Cedar, Mo.	260	260	260	260	235	220	205	210	220	195	170	155	155	135	35
Wehar, Louis	1277	Mokan #2	2	Linn, Kans.	250	250	250	250	225	210	195	190	210	185	185	170	170	150	35

[F. R. Doc. 41-4850; Filed, July 8, 1941; 10:24 a. m.]

TITLE 31—MONEY AND FINANCE:
TREASURY

CHAPTER I—MONETARY OFFICES

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

AMENDMENTS OF GENERAL LICENSES NO. 12, NO. 20, NO. 26, NO. 28, AND NO. 31, AS AMENDED UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.¹

JULY 8, 1941.

§ 131.12 *General License No. 12,*² is hereby amended so that the reference "Form TFR-300" shall be substituted for the reference "Form TFR-100" wherever such reference appears in such general license.

§ 131.20 *General License No. 20,*³ is hereby amended so that the last paragraph thereof shall be deleted from such general license.

§ 131.26 *General License No. 26,*⁴ is hereby amended so that the citation "section 2A (2)" shall be substituted for the citation "section 13A (2)" wherever such citation appears in such general license.

¹ Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941; Regulations, April 10, 1940, as amended June 14, 1941.

² 5 F.R. 1840.

³ 5 F.R. 2308.

⁴ 5 F.R. 2754.

§ 131.30 *General License No. 28,*⁵ is hereby amended so that the last paragraph thereof shall read as follows:

This general license shall not be deemed to affect securities or evidences thereof delivered, or required to be delivered, to a Federal Reserve Bank under the provisions of General Ruling No. 5, as supplemented, or to authorize payments, transfers or withdrawals from General Ruling No. 6 accounts.

§ 131.31 *General License No. 31,*⁶ is hereby amended so that the citation "section 2A (1)" shall be substituted for the citation "section 13A (1)" wherever such citation appears in such general license.

E. H. FOLEY, Jr.

Acting Secretary of the Treasury.

[F. R. Doc. 41-4860; Filed, July 9, 1941; 9:13 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

CHAPTER III—GRAZING SERVICE

PART 502—LIST OF ORDERS CREATING OR MODIFYING GRAZING DISTRICTS¹

ELIMINATION FROM NEW MEXICO GRAZING DISTRICT NO. 7

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended, New Mexico Grazing Dis-

⁵ 5 F.R. 2807.

⁶ 5 F.R. 3467.

⁷ Affects tabulation in § 502.1d.

tract No. 7, created by a departmental order on September 1, 1939, is hereby modified to exclude the following-described land:

NEW MEXICO

New Mexico Principal Meridian

T. 9 N., R. 16 W., sec. 34.

E. K. BURLEW,

Acting Secretary of the Interior.

JUNE 28, 1941.

[F. R. Doc. 41-4863; Filed, July 9, 1941; 9:35 a. m.]

Notices

TREASURY DEPARTMENT.

Monetary Offices.

AMENDMENT OF GENERAL RULING No. 4, AS AMENDED, UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

JULY 8, 1941.

General Ruling No. 4¹ is hereby amended in the following respects:

(1) The citation "Executive Order No. 8389 of April 10, 1940, as amended", shall be substituted for the citation "Executive Order No. 6560 of January 15, 1934, as amended by Executive Order No. 8389 of April 10, 1940, as amended", in the first paragraph of such general ruling.

(2) The citation "section 4 of the Order" shall be substituted for the citation "sections 10 and 14 of the Order" in subdivision (7) of such general ruling.

(3) The citation "section 5F of the Order" shall be substituted for the citation "Section 11D of the Order" in subdivision (9) of such general ruling.

[SEAL]

E. H. FOLEY, JR.,

Acting Secretary of the Treasury.

[F. R. Doc. 41-4859; Filed, July 9, 1941; 9:13 a. m.]

WAR DEPARTMENT.

[Contract No. W-ORD-491,² Supp. 1]

SUMMARY OF SUPPLEMENTAL CONTRACT³ TO COST-PLUS-A-FIXED-FEE OPERATION CONTRACT

CONTRACTOR: UNITED STATES CARTRIDGE COMPANY, BALTIMORE, MARYLAND

Fixed-fee for operation: \$ * * * per thousand cartridges, Ball, Cal. * * * ; \$ * * * per thousand cartridges, A. P., Cal. * * * ; \$ * * * per thousand cartridges, Tracer, Cal. * * * ; \$ * * * per thousand car-

tridges, A. P. Cal. * * * ; \$ * * * per thousand cartridges, Tracer, Cal. * * * .

Contract for: The providing of an option in the Government for the manufacture of increased quantities of Caliber * * * and Caliber * * * Small Arms Ammunition of all types.

Place: St. Louis, Missouri.

Estimated cost of operating the plant: Original, \$87,279,790.00; additional, \$123,604,375.00 (optional).

The supplies and services to be obtained by this instrument are authorized by, or for the purposes set forth in, and are chargeable to the following Procurement Authorities, the available balances of which are sufficient to cover the cost of the same: ORD 8026 P11-0270 A 1005-01.

This supplemental contract, entered into this 27th day of June 1941.

There is now in force between the parties hereto a certain contract which provides for the operation of a plant for the manufacture of Caliber * * * and Caliber * * * small arms ammunition of all types, said contract bearing approval date of December 14, 1940, being identified by the Government as "Contract No. W-ORD-491" and being hereinafter sometimes referred to as the "Contract of December 14."

The parties hereto do mutually agree that the said Contract of December 14 shall be and it is hereby modified in the following particulars:

1. Change Article I-A, Title I (page 4) to read:

The small arms ammunition plant (hereinafter referred to as "the Plant") to be provided under the Collateral Contracts and under the contract between the Government and Western of even date herewith shall comprise a plant located at one or more places at or near St. Louis, Missouri, for the manufacture of Caliber * * * and Caliber * * * Ammunition of certain types as specified in Article I-B (hereinafter sometimes referred to as the "Ammunition"), having a daily capacity as follows:

* * * rounds packed and ready for shipment of Caliber * * * Ammunition.

2. Change section 1 of Article I-B of Title I (page 5) to read:

1. The terms, conditions, and provisions of this contract shall not apply to the work called for under paragraph (f) of section 3 of this Article I-B until the Contractor receives the notice referred to in said paragraph (f) whereupon said terms, conditions, and provisions shall then apply to said work in accordance with the terms of said paragraph (f).

The Contractor shall perform all organization service in connection with the planning of and the making of all necessary preparations for the operation of the Plant, including the training of operating personnel (other than the key

personnel required to be trained by Western under the terms of its contract with the Government of even date herewith), in the Plant when available, or at a school to be set up under the Collateral Contracts and said Western contract, but excluding the procurement and supervision of installation of manufacturing facilities; and all other services incident to setting up an efficient and going operating force.

3. Change Article I-B, Title I, section 3 (page 6, line 5) by adding the following paragraph (f) immediately after paragraph (e) of said section 3:

(f) The terms, conditions and provisions of this paragraph (f) shall apply only to that portion of the increased capacity of the plant as set forth in Article I-A of this Title I, which increased capacity was provided by Supplement No. 1 to Contract No. W-ORD-481.

The obligation of the Contractor to proceed with the work called for by this paragraph (f) in accordance with the terms, conditions, and provisions of this Contract shall be conditioned upon receipt by the Contractor of notice in writing from the Contracting Officer to do so.

The Contractor further agrees to manufacture, subject to the terms and conditions of this Contract as limited by this paragraph (f) the following additional quantities of ammunition:

(1) * * * rounds, packed and ready for shipment, Cartridges, Ball, Cal. * * * .

(2) * * * rounds, packed and ready for shipment, Cartridges, Armor Piercing, Cal. * * * .

(3) * * * rounds, packed and ready for shipment, Cartridges, Tracer, Cal. * * * .

(4) * * * Rounds, packed and ready for shipment, Cartridges, Armor Piercing, Cal. * * * .

(5) * * * rounds, packed and ready for shipment, Cartridges, Tracer, Cal. * * * .

4. Change Article I-C, Title I, (page 8) to read:

It is estimated that the total cost of the Contractor's performance under Title I of this contract, exclusive of that provided in paragraph (f) of section 3 of Article I-B thereof, will be approximately eighty seven million two hundred seventy nine thousand seven hundred ninety dollars (\$87,279,790.00) exclusive of the Contractor's fee.

It is estimated that the total cost of the Contractor's performance under Article I-B, section 3, paragraph (f) of Title I of this contract will be approximately one hundred twenty three million, six hundred four thousand, three hundred and seventy five dollars (\$123,604,375.00), exclusive of the Contractor's fee.

Except as herein modified the terms and conditions of said contract of De-

¹ 5 F.R. 2133.

² 6 F.R. 1070.

³ Approved by the Under Secretary of War June 28, 1941.

ember 14, shall continue in full force and effect.

This contract is authorized by the following law: Act of July 2, 1940 (Public, No. 703, 76th Congress).

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4861; Filed, July 9, 1941;
9:17 a. m.]

[Contract No. W-ORD-463-Supp. 2]

**SUMMARY OF SUPPLEMENTAL CONTRACT¹ TO
FIXED-PRICE (LUMP-SUM) MANAGEMENT
SERVICE AND COST-PLUS-A-FIXED-FEE
OPERATION CONTRACT**

CONTRACTOR: ATLAS POWDER COMPANY,
WILMINGTON, DELAWARE

Fixed-price (lump-sum) for management service under Title I: Original, \$640,000.00; additional for Supp. 1, \$32,000.00; additional for Supp. 2, \$39,000.00.

Fixed-fee for operation under Title II: Original, \$420,000.00 Initial Period of * * * Mo.; additional for Supp. 1, \$71,060.00 Initial Period of * * * Mo.; additional for Supp. 2, \$2,806.00 Per Month (optional).

Contract for: Supplementing Original Contract W-ORD-463,² as amended by Contract W-ORD-463-Supp. 1,³ to provide for an additional * * * bomb line or equivalent, together with the necessary fuzes and boosters, and to supplement the provisions of said Contracts relating to Workmen's Compensation Insurance and Advance Payments.

Place: Ravenna, Ohio.

Estimated cost of operation of plant: Original, \$26,000,000.00 Initial Period of * * * Mo.; additional for Supp. 1, \$4,400,000.00 Initial Period of * * * Mo.; additional for Supp. 2, \$383,940.00 Per Month (optional).

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to the following Procurement Authorities, the available balances of which are sufficient to cover the cost of the same:

ORD 8760 P11-3052 A1005-01
ORD 7666 P11-99 A1005-01
ORD 8234 P99-A0141-02
ORD 6965 P11-02 A1005-01
ORD 8006 P11-99 A1005-01
ORD 6784 P11-3211 A1005-01
ORD 3508 P99-A0141-02

This supplemental contract entered into this 24th day of June 1941.

There is now in force between the parties hereto a certain contract identified by the Government as Contract No. W-ORD-463, as supplemented by

¹ Approved by the Under Secretary of War June 26, 1941.

² 5 F.R. 4271.

³ 6 F.R. 2215.

Contract No. W-ORD-463-Supp. 1, which contracts provide for Management Service covering optioning of site, supervision, direction and control of designing, engineering, construction and equipping (including design and installation) of a Plant for the loading of fixed rounds, shells, bombs, boosters, fuzes, primers, detonators and percussion elements; preparation for operation of said Plant (including training of key personnel); and Operation of such Plant, said Contract W-ORD-463 having been approved August 28, 1940, and said Contract W-ORD-463-Supp. 1 having been approved February 12, 1941.

The parties hereto do mutually agree that said contracts of August 28, 1940, and of February 12, 1941 shall be, and they hereby are, modified in the following particulars:

A. Change Article I-A of Title I (page 2) as changed by the contract of February 12, 1941, to read as follows:

ARTICLE I-A. *Description of plant.* The construction project (hereinafter referred to as "The Plant") shall comprise a plant near Ravenna, Portage County, Ohio, for the loading and assembling of Fixed Rounds, Shells, Bombs, Boosters, Fuzes, Primers, Detonators, and Percussion Elements (hereinafter sometimes referred to as the "Ammunition"). Said Plant shall consist of eight (8) principal original operating lines as listed herein, which are hereinafter referred to as the "original lines", and three (3) Principal additional operating lines as listed herein, hereinafter referred to as the "additional lines"; said lines to have an estimated monthly capacity, based on working * * * hours per month.

B. Change Paragraph 1 of Article I-C of Title I (page 4) as changed by the Contract of February 12, 1941, to read as follows:

1. As complete consideration for its undertaking under this Title I the Contractor shall receive the sum of seven hundred eleven thousand dollars (\$711,000.00).

C. Change Sections 1 and 2 of Article II-A of Title I (page 4) to read as follows:

1. As each original operating line of the Plant is completed and ready for operation, the Contractor shall proceed to operate it for the loading of ammunition as directed from time to time by the Contracting Officer, irrespective of whether or not the construction and equipping of the Plant as a whole shall have been completed, it being understood that the operation of each line shall include the operation of all Departments and Services of the Contractor appropriate to the operation of such line. The Contractor shall take over, or create adequate guard and fire fighting forces for the protection of the Plant as soon as the first operating line is completed and ready for operation.

Upon completion of the additional lines provided for herein, the Government, at its option, may require the operation by the Contractor of the additional lines for the then remaining portion of the initial * * * months' period for the operation of the original lines.

D. Change Article II-B (page 5) as changed by the Contract of February 12, 1941, to read as follows:

It is estimated that the total cost of the Contractor's performance in operating the original lines under this Title II will be approximately thirty million four hundred thousand dollars (\$30,400,000.00) exclusive of the Contractor's fee. With respect to the additional lines, if said additional lines are required to be operated by the Contractor as provided for in Section 2 (b) of Article II-A hereof it is estimated that the total cost of Contractor's performance in operating said additional lines will be three hundred eighty three thousand nine hundred forty dollars (\$383,940.00) per month.

E. Change Article II-C (page 6) as changed by the Contract of February 12, 1941, to read as follows:

In consideration for its undertaking under this Title II the Contractor shall receive the following:

1. Reimbursement for expenditures as provided in Title III.

2. A fixed-fee of four hundred ninety one thousand sixty dollars (\$491,060.00) for the operation of the original lines which fee shall constitute complete compensation for the Contractor's performance of the work under this Title II (except for the operation of the additional lines, and except for services during the additional period covered by said option) under this Title II, including profit.

3. A fixed-fee for the initial operation of the additional lines of two thousand eight hundred six dollars (\$2,806.00) for each calendar month of such operation.

F. Change Article II-F (page 8) to read as follows:

The Contracting Officer may after consultation with the Contractor, by a written order and without notice to the sureties, require changes in or additions to the specifications for the loading of the Ammunition, issue additional instructions, require additional work, or direct the omission of work covered by Title II.

H. Change Section 3 of Article III-B (page 13) to read as follows:

3. The fixed-fee provided for in Title II shall be paid as follows:

(a) Four hundred ninety one thousand sixty dollars (\$491,060.00) payable in twelve (12) equal monthly installments of forty thousand nine hundred twenty one dollars and sixty-six cents (\$40,921.66) each.

(b) The fixed-fee provided for in paragraph 3 of Article II-C hereof shall

be payable on the last day of each calendar month of the initial operation of the additional lines.

I. Change Article III-C (page 14) to read as follows:

1. At any time, and from time to time, after the execution of this contract the Government, at the request of the Contractor and subject to the approval of the Chief of Ordnance as to the necessity therefor, shall advance to the Contractor without payment of interest thereof by the Contractor, a sum not in excess of thirty percent (30%) of the estimated cost of the work under Title II hereof. Such advance or advances shall be made in each case upon the furnishing of such surety bonds in such penal sums not exceeding the total aggregate advances as the Secretary of War may prescribe.

Except as herein modified the terms and conditions of said contract of August 28, 1940 as amended by the Contract of February 12, 1941 shall continue in full force and effect.

This contract is authorized by the following law: Act of July 2, 1940 (Public, No. 703, 76th Congress).

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4880; Filed, July 9, 1941;
11:56 a. m.]

[Contract No. W-ORD-481; Supp. 1]

SUMMARY OF SUPPLEMENTAL CONTRACT¹ TO
FIXED-PRICE (LUMP-SUM) MANAGEMENT
SERVICE AND TRAINING OF KEY PERSON-
NEL AND COST-PLUS-A-FIXED-FEE PRO-
CUREMENT OF EQUIPMENT CONTRACT

CONTRACTOR: WESTERN CARTRIDGE COMPANY,
EAST ALTON, ILLINOIS

Fixed-price (lump-sum) for manage-
ment service under Title I: Original,
\$313,000.00; additional, \$414,836.00.

Fixed-price (lump-sum) for training
key personnel under Title II: \$1,-
300,000.00.

Fixed-fee for procuring equipment
under Title III: Original, \$495,000.00;
additional, \$200,000.00.

Contract for: Increasing capacity of
plant covered by original Contract No.
W-ORD-481 for the manufacture of Cali-
ber * * * and Caliber * * * Small
Arms Ammunition.

Place: St. Louis, Missouri.

Estimated cost of procurement of
equipment under Title II: Original, \$16,-
500,000.00; additional, \$25,000,000.00.

The supplies, equipment and services
to be obtained by this instrument are
authorized by, are for the purposes set
forth in, and are chargeable to the fol-
lowing Procurement Authorities, the
available balances of which are sufficient
to cover the cost of the same.

¹ 6 F.R. 1069.

² Approved by the Under Secretary of War
June 28, 1941.

ORD 7669 P-99-A0141-02
ORD 7670 P-99-A0141-02
ORD 7887 P-11 3052 A-1005-01
ORD 8025 P-11 0270 A-1005-01

This supplemental contract, entered
into this 27th day of June 1941.

There is now in force between the par-
ties hereto a certain contract which pro-
vides for the furnishing of management
service covering supervision, direction
and control of the production aspects of
the layout, engineering and construction
(including plant and equipment layouts)
of a plant for the manufacture of Cali-
ber * * * and Caliber * * *
Small Arms Ammunition of certain
types; training of key personnel; and
procurement, supervision of layout, and
supervision of installation (including
supervision of plans therefor) of manu-
facturing facilities, said contract being
dated December 14, 1940, being identified
by the Government as "Contract No.
W-ORD-481" and being hereinafter
sometimes referred to as the "Contract
of December 14".

The parties hereto do mutually agree
that the said Contract of December 14
shall be and it is hereby modified in the
following particulars:

1. Change Article I-A, Title I (Page 3),
to read:

The construction project (hereinafter
referred to as "the Plant") shall com-
prise a plant located at one or more
places at or near St. Louis, Missouri, for
the manufacture of Caliber * * *
and Caliber * * * Ammunition of
certain types (hereinafter sometimes re-
ferred to as the "Ammunition") as speci-
fied in Title I of a certain contract of
even date herewith between the Govern-
ment and The United States Cartridge
Company, a wholly-owned subsidiary of
the Contractor, having a daily capacity
as follows:

* * * rounds packed and ready for
shipment of Caliber * * * Ammu-
nition.

* * * rounds packed and ready for
shipment of Caliber * * * Ammu-
nition.

3. Change Article I-D, Title I, section
1, (page 5), to read:

As complete consideration for its un-
dertaking under this Title I the Con-
tractor shall receive the fixed-price
(Lump-Sum) of seven hundred twenty-
seven thousand, eight hundred thirty-
six dollars (\$727,836).

4. Change Article I-D, Title I, section
2, (page 5) to read:

Payment of three hundred thirteen
thousand dollars (\$313,000) of the con-
sideration provided in Section 1 of this
Article I-C shall be made to the Con-
tractor in ten (10) equal monthly install-
ments, and payment of four hundred
fourteen thousand, eight hundred thirty-
six dollars (\$414,836) of the consideration
provided in section 1 of this Article I-C

shall be made to the Contractor in nine
(9) equal monthly installments.

5. Change Article II-A, Title II, page
6, by adding the following section at the
end thereof:

3. It is expressly understood that the
obligation of the Contractor to train key
personnel under this Title II shall apply
only to the Plant as its capacity was
shown in the original contract of De-
cember 14.

7. Change Article III-C, Title III (page
11), to read:

It is estimated that the total cost of
the work covered by this Title III will
be approximately forty-one million five
hundred thousand dollars (\$41,500,000),
exclusive of the Contractor's Fee.

8. Change Article III-D, Title III,
(page 11), to read:

In consideration for its undertaking
under this Title III the Contractor shall
receive the following:

(a) Reimbursement for expenditures
as provided in Title IV.

(b) A fixed-fee in the amount of six
hundred ninety-five thousand dollars
(\$695,000), which shall constitute com-
plete compensation for the Contractor's
services, including profit.

9. Change Article IV-B, Title IV, sec-
tion 2, (page 14) to read:

Payment of four hundred ninety-five
thousand dollars (\$495,000) of the fixed
fee provided in Article III-D of Title III
hereof shall be paid in fifteen (15) equal
monthly installments; payment of the
remaining two hundred thousand dollars
(\$200,000) made in nine (9) equal
monthly installments.

Except as herein modified the terms
and conditions of said contract of De-
cember 14 shall continue in full force
and effect.

This contract is authorized by the
following law: Act of July 2, 1940 (Public,
No. 703, 76th Cong.).

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director
of Purchases and Contracts.

[F. R. Doc. 41-4881; Filed, July 9, 1941;
11:56 a. m.]

[Change Order No. A—Date April 29, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-
A-FIXED-FEE CONTRACT NO. W 6946
QM-1, DATED SEPTEMBER 19, 1940, BE-
TWEEN THE UNITED STATES OF AMERICA
AND GANNETT, EASTMAN & FLEMING, INC.,
FOR ARCHITECTURAL-ENGINEERING SER-
VICES IN CONNECTION WITH THE CON-
STRUCTION OF A COMPLETE CANTONMENT
CAMP AT INDIANTOWN GAP, PENNSYL-
VANIA²

Pursuant to the authority vested in the
Contracting Officer under Article XII of

¹ 6 F.R. 1510.

² Approved by the Under Secretary of War
June 25, 1941.

the contract above described, you, as architect-engineer, are hereby directed to perform the work and services indicated below.

Provide the necessary Architect-Engineer services incident to the following changes in the work:

And * * * to the description of the work now set forth in Section 1, Article I of the principal contract.

Delete from the description set forth in Section 1, Article I of the principal contract * * *.

Delete from the description set forth in Section 1, Article I of the principal contract * * * and insert in lieu thereof * * *.

The above will result in a net increase in the estimated construction cost and the Architect-Engineer's fixed fee as follows:

Increase the estimated construction cost by-----	\$1,105,364
Total estimated cost after deductions indicated above including this Change Order-----	6,701,549
Total fixed fee including this Change Order-----	35,100
Increase in Architect-Engineer's fixed-fee-----	3,915

Funds are available under Procurement Authority No. QM 8226 P. R. 99—A 0540.066-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director
of Purchases and Contracts.

[F. R. Doc. 41-4882; Filed, July 9, 1941;
11:56 a. m.]

[Change Order No. A—Date April 15, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-A-FIXED-FEE CONTRACT NO. W 6946 QM-2,¹ DATED SEPTEMBER 25, 1940, BETWEEN THE UNITED STATES OF AMERICA AND W. F. TRIMBLE & SONS, PITTSBURGH, PENNSYLVANIA, FERGUSON & EDMONDSON COMPANY, PITTSBURGH, PENNSYLVANIA, AND THE HUFFMAN-WOLFE COMPANY, COLUMBUS, OHIO, FOR THE CONSTRUCTION OF A COMPLETE CANTONMENT CAMP AT INDIANTOWN GAP MILITARY RESERVATION, ANNVILLE, PENNSYLVANIA²

Pursuant to the authority vested in the Contracting Officer under Article I of the contract above described, you, as contractor, are hereby directed to perform the work and services indicated below.

Add * * * to the description of the work now set forth in Article I of the principal contract.

Delete from the description set forth in Article I of the principal contract * * *.

Delete from the description set forth in Article I of the principal contract * * * and insert in lieu thereof * * *.

¹ 6 F.R. 1511.
² Approved by the Under Secretary of War May 6, 1941.

No. 133—2

The above will result in a net increase in the estimated construction cost and the Contractor's fixed fee as follows.

Increase the estimated construction cost by-----	\$1,076,869
Total estimated cost (after deductions, indicated above including this change order-----	6,490,604
Total fixed fee including this change order-----	210,945
Increase in Construction Contractor's fixed fee-----	28,495

Funds are available under Procurement Authority No. QM 7024 P1-3211 A 1738-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4883; Filed, July 9, 1941;
11:56 a. m.]

[Change Order No. B—Date April 15, 1941]

SUMMARY OF CHANGE ORDER TO A COST-PLUS-A-FIXED-FEE CONTRACT NO. W 6935 QM-2,¹ DATED SEPTEMBER 9, 1940 BETWEEN THE UNITED STATES OF AMERICA AND STARRETT BROS. & EKEN, INC., NEW YORK, N. Y. FOR THE CONSTRUCTION OF A COMPLETE CANTONMENT AND TENT CAMP AT CAMP BLANDING, FLORIDA²

Pursuant to the authority vested in the Contracting Officer under Article I of the contract above described, you, as contractor, are hereby directed to perform the work and services indicated below.

Add * * * to the description of the work now set forth in Article I of the principal contract.

Delete * * * from the description of the work now set forth in Article I of the principal contract.

Omit from the description set forth in Article I of the principal contract * * * and insert in lieu thereof * * *.

The above will result in a net increase in the estimated construction cost and the Construction Contractor's fixed-fee as follows:

Increase the estimated construction cost by-----	\$1,438,854
Total estimated cost, after deductions indicated above including this Change Order-----	10,235,034
Total fixed-fee including this Change Order-----	303,981
Increase in Construction Contractor's fixed-fee-----	35,691

Funds are available under Procurement Authority No. QM 7958 P1-3211 A 0540.068-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4884; Filed, July 9, 1941;
11:57 a. m.]

¹ 6 F.R. 1549.
² Approved by the Under Secretary of War May 15, 1941.

[Change Order No. B—Date March 13, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-A-FIXED-FEE CONTRACT NO. W 6935 QM-1,¹ DATED SEPTEMBER 7, 1940 BETWEEN THE UNITED STATES OF AMERICA AND SOLOMON AND KEIS, FORT LAUDERDALE, FLA., FOR ARCHITECTURAL-ENGINEERING SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A CANTONMENT AND TENT CAMP AT CAMP BLANDING, FLORIDA²

Pursuant to the authority vested in the Contracting Officer under Article XII of the contract above described, you, as architect-engineer, are hereby directed to perform the work and services indicated below.

Provide the necessary architect-engineer services incident to the following changes in the work:

Add * * * to the description of the work now set forth in Article I of the principal contract.

Delete * * * from the description of the work now set forth in Article I of the principal contract.

Omit from the description set forth in Article I of the principal contract * * * and insert in lieu thereof, * * *.

The above will result in a net increase in the estimated construction cost and the Architect-Engineer's fixed-fee as follows:

Increase the estimated construction cost by-----	\$1,474,545
Total estimated cost after deductions indicated above including this change order-----	10,539,015
Total fixed-fee including this change order-----	55,190
Increase in architect-engineer's fixed-fee-----	6,430

Funds are available under Procurement Authority No. QM 8205 P1-3211 A 0540.068-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4885; Filed, July 9, 1941;
11:57 a. m.]

[Change Order No. A—Date March 4, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-A-FIXED-FEE CONTRACT NO. W 6863, QM-1,¹ DATED SEPTEMBER 7, 1940 BETWEEN THE UNITED STATES OF AMERICA AND WALSH CONSTRUCTION COMPANY, LONG ISLAND CITY, NEW YORK, FOR THE CONSTRUCTION OF A COMPLETE CANTONMENT CAMP AT CAMP EDWARDS, FALMOUTH, MASSACHUSETTS²

Pursuant to the authority vested in the Contracting Officer under Article I of the

¹ 6 F.R. 1549.
² Approved by the Under Secretary of War, June 25, 1941.
³ 6 F.R. 1481.

contract above described, you, as contractor, are hereby directed to perform the work and services indicated below.

Add * * * to the description of the work now set forth in Article I of the principal contract.

Delete * * * from the description of the work now set forth in Article I of the principal contract.

The above will result in a net increase in the estimated construction cost and contractor's fixed-fee as follows:

Increase the estimated construction cost by-----	\$989,252
Total estimated cost after deductions, indicated above, including this change order-----	8,229,714
Total fixed fee including this change order-----	258,166
Increase in construction contractor's fixed-fee-----	25,023

Funds are available under Procurement Authority No. QM 7638 P1-3211 A 0540.068-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director
of Purchases and Contracts.

[F. R. Doc. 41-4886; Filed, July 9, 1941;
11:57 a. m.]

[Change Order No. C—Date May 3, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-A-FIXED-FEE CONTRACT No. W 6863 QM-1,¹ DATED SEPTEMBER 7, 1940 BETWEEN THE UNITED STATES OF AMERICA AND WALSH CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF A COMPLETE CANTONMENT CAMP AT FALMOUTH MILITARY RESERVATION, FALMOUTH, MASSACHUSETTS²

Pursuant to the authority vested in the Contracting Officer under Article I of the contract above described, you, as contractor, are hereby directed to perform the work and services indicated below.

Add * * * to the description of the work now set forth in Article I of the principal contract, as modified and amended.

Delete * * * from the description of the work now set forth in Article I of the principal contract, as modified and amended.

The above will result in a net increase in the estimated construction cost and the contractor's fixed-fee as follows:

Increase the estimated construction cost by-----	\$1,371,797
Total Estimated Cost after deductions, indicated above, including this change order-----	9,307,620
Total fixed-fee including this change order-----	285,230
Increase in construction contractor's fixed-fee-----	34,294

Funds are available under Procurement Authority No. QM 7638 P13211 A 0540.068-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director
of Purchases and Contracts.

[F. R. Doc. 41-4887; Filed, July 9, 1941;
11:57 a. m.]

[Change Order No. A—Date April 30, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-A-FIXED-FEE CONTRACT No. W 6863 QM-2,¹ DATED SEPTEMBER 9, 1940 BETWEEN THE UNITED STATES OF AMERICA AND CHAS. T. MAIN, INC., BOSTON, MASSACHUSETTS, FOR ARCHITECTURAL-ENGINEERING SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A CANTONMENT CAMP AT FALMOUTH MILITARY RESERVATION (CAMP EDWARDS), FALMOUTH, MASSACHUSETTS²

Pursuant to the authority vested in the Contracting Officer under Article XII of the contract above described, you, as architect-engineer, are hereby directed to perform the work and services indicated below.

Provide the necessary architect-engineer services incident to the following changes in the work.

Add * * * to the description of the work set forth in Article I of the principal contract.

Delete * * * from the description set forth in Article I of the principal contract.

The above will result in a net increase in the estimated construction cost and the Architect-Engineer's Fixed Fee as follows:

Increase the estimated construction cost by-----	\$1,014,275
Total estimated cost (after deductions, including this change order-----	5,487,880
Total fixed fee including this change order-----	43,485
Increase in architect-engineer's fixed fee-----	3,835

Funds are available under Procurement Authority No. QM 8159 P1-3211 A0540.068-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4888; Filed, July 9, 1941;
11:58 a. m.]

[Change Order No. C—Date May 5, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-A-FIXED-FEE CONTRACT No. W 6863 QM-2,¹ DATED SEPTEMBER 9, 1940, BETWEEN THE UNITED STATES OF AMERICA AND CHAS. T. MAIN, INC., FOR ARCHITECTURAL-ENGINEERING SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A COMPLETE CANTONMENT CAMP AT FALMOUTH MILITARY RESERVATION, FALMOUTH, MASSACHUSETTS²

Pursuant to the authority vested in the Contracting Officer under Article XII of the contract above described, you, as architect-engineer, are hereby directed to perform the work and services indicated below.

¹ 6 F.R. 1482.

² Approved by the Under Secretary of War May 6, 1941.

³ Approved by the Under Secretary of War May 15, 1941.

Provide the necessary architect-engineer services incident to the following changes in the work:

Add * * * to the description of the work now set forth in Article I of the principal contract, as modified and amended.

Delete * * * from the description of the work now set forth in Article I of the principal contract, as modified and amended.

The above will result in a net increase in the estimated construction cost and Architect-Engineer's fixed-fee as follows:

Increase the estimated construction cost by-----	\$1,619,781
Total estimated cost (after deductions, indicated above including this Change Order)-----	9,816,540
Total fixed fee including this change order-----	49,340
Increase in architect-engineer's fixed-fee-----	7,145

Funds are available under Procurement Authority No. QM 8159 P1-3211 A 0540.068-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4889; Filed, July 8, 1941;
11:58 a. m.]

[Change Order No. A—Date April 28, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-A-FIXED FEE CONTRACT No. W 6937 QM-1,¹ DATED SEPTEMBER 11, 1940, BETWEEN THE UNITED STATES OF AMERICA AND KOCH AND FOWLER, DALLAS, TEXAS, FOR ARCHITECTURAL-ENGINEERING SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A COMPLETE TENT CAMP AT CAMP BROWNWOOD, TEXAS (NOW CAMP BOWIE)²

Pursuant to the authority vested in the Contracting Officer under Article III of the contract above described, you, as architect-engineer, are hereby directed to perform the work and services indicated below.

Provide the necessary architect-engineer services incident to the following changes in the work:

Add * * * to the work described in the principal contract.

Delete * * * from the description of the work now set forth in Article I of the principal contract.

The above will result in a net increase in the estimated construction cost and architect-engineer's fixed-fee as follows:

Increase the estimated construction cost by-----	\$2,302,032
Total estimated cost, after deductions including this change order-----	6,654,906
Total fixed-fee including this change order-----	89,107
Increase in architect-engineer's fixed-fee-----	8,465

¹ 6 F.R. 1552.

² Approved by the Under Secretary of War June 25, 1941.

¹ 6 F.R. 1481.

² Approved by the Under Secretary of War June 25, 1941.

Funds are available under Procurement Authority No. QM 7660 P1-3211-A 0540.068-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director
of Purchases and Contracts.

[F. R. Doc. 41-4890; Filed, July 9, 1941;
11:58 a. m.]

[Change Order No. B—Date April 28, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-A-FIXED-FEE CONTRACT NO. W 6937 QM-2, DATED SEPTEMBER 17, 1940 BETWEEN THE UNITED STATES OF AMERICA AND ROBERT E. MCKEE, EL PASO, TEXAS, FOR THE CONSTRUCTION OF A COMPLETE TENT CAMP AT BROWNWOOD, TEXAS (NOW CAMP BOWIE)²

Pursuant to the authority vested in the Contracting Officer under Article I of the contract above described, you, as contractor, are hereby directed to perform the work and services indicated below.

Add * * * to the description of the work now set forth in Article I of the principal contract.

Delete * * * from the description of the work now set forth in Article I of the principal contract.

The above will result in a net increase in the estimated construction cost and the contractor's fixed-fee as follows:

Increase the estimated construction cost by-----	\$2,247,866
Total estimated cost including this change order (after deductions including this change order)-----	6,445,430
Total fixed-fee including this change order-----	209,476
Increase in construction contractor's fixed-fee-----	54,166

Funds are available under Procurement Authority No. QM 7586 P1 3211 A 0540.-068-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4891; Filed, July 9, 1941;
11:58 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[General Docket No. 21]

IN THE MATTER OF DETERMINING THE EXTENT OF CHANGE, IF ANY, IN EXCESS OF 2 CENTS PER NET TON IN THE WEIGHTED AVERAGE OF THE TOTAL COSTS OF ANY OF THE MINIMUM PRICE AREA; AND OF REVISING THE EFFECTIVE MINIMUM PRICES AS MAY BE REQUIRED BY REASON OF ANY SUCH CHANGE IN COSTS

NOTICE CONCERNING RETURNS ON FORM B.C.D. NO. 551 FILED BY PRODUCERS IN PRICE AREA 1

Notice is hereby given to all parties to the above-entitled proceedings that

¹ 6 F.R. 1552.

² Approved by the Under Secretary of War May 7, 1941.

the returns on Form B.C.D. No. 551 filed by producers in Price Area 1 (Districts 1 to 8, inclusive) are hereby made available for inspection by all parties at Room 502, Walker Building, 734 Fifteenth Street NW., Washington, D. C. Dated: July 8, 1941.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-4869; Filed, July 9, 1941;
10:14 a. m.]

[Docket No. 1638-FD]

IN THE MATTER OF JAY FINLEY, DEFENDANT,
DISTRICT No. 8

ORDER POSTPONING HEARING

The above-entitled matter having been previously scheduled for hearing on July 10, 1941, at the Federal Building and Post Office, Catlettsburg, Kentucky, and the Acting Director deeming it necessary that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10:00 o'clock in the forenoon of July 10, 1941, until 10:00 o'clock in the forenoon of August 11, 1941, at the place heretofore designated and before the officers previously designated to preside at said hearing.

Dated: July 8, 1941.
[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-4864; Filed, July 9, 1941;
10:13 a. m.]

[Docket No. 1639-FD]

IN THE MATTER OF F. B. FRY, DEFENDANT,
DISTRICT No. 8

ORDER POSTPONING HEARING

The above-entitled matter having been previously scheduled for hearing on July 10, 1941, at the Federal Building and Post Office, Catlettsburg, Kentucky, and the Acting Director deeming it necessary that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10:00 o'clock in the forenoon of July 10, 1941, until 10:00 o'clock in the forenoon of August 11, 1941, at the place heretofore designated and before the officers previously designated to preside at said hearing.

Dated: July 8, 1941.
[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-4865; Filed, July 9, 1941;
10:13 a. m.]

[Docket No. A-624]

PETITION OF G. C. SENSABAUGH FOR THE
ESTABLISHMENT OF MINIMUM PRICES

ORDER OF THE ACTING DIRECTOR

An original petition having been filed on January 25, 1941, by G. C. Sensabaugh, a code member in District 1, pursuant to

section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment of special prices and revision of the effective minimum prices for his coals; and

A hearing having been held, on February 27, 1941, pursuant to an Order of the Director dated February 3, 1941, before a duly designated Examiner of the Division, at a hearing room thereof, in Washington, D. C., at which all interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard; and

The preparation and filing of a report by the Examiner having been waived, and the record thereupon having been submitted to the Acting Director; and

The Acting Director having made Findings of Fact and Conclusions of Law and rendered an Opinion in this matter, which are filed herewith:

Now, therefore, it is ordered, That the prayers for relief contained in the petition of G. C. Sensabaugh herein be, and they are hereby, denied.

Dated: July 8, 1941.
[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-4866; Filed, July 9, 1941;
10:13 a. m.]

[Docket No. A-940]

PETITION OF THE BITUMINOUS COAL PRODUCERS BOARD FOR DISTRICT NO. 10 FOR ISSUANCE OF A TEMPORARY ORDER PERMITTING THE MIDLAND ELECTRIC COAL CORPORATION ("MIDLAND") (MINE INDEX NO. 95) TO SELL 22 CARS OF $\frac{3}{8}$ " x 0 RHEO REJECT WASHED CARBON AT A PRICE TO BE FIXED ON THE BASIS OF FUEL VALUE TO THE CENTRAL ILLINOIS LIGHT COMPANY

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF

The original petition in the above entitled matter, filed with this Division on June 26, 1941, prays for the issuance of a temporary order permitting the Midland Electric Coal Corporation, ("Midland") a code member in District No. 10, to sell 22 cars of $\frac{3}{8}$ " x 0 RHEO reject washed carbon produced at its Middle Grove Mine, Mine Index No. 95, to the Central Illinois Light Company for use at its East Peoria Plant at a price to be fixed on the basis of the fuel value of said coal as compared with the raw screenings (Size Group 14) ordinarily purchased by that company.

After due notice to all interested persons, an informal conference concerning temporary relief was held on July 2, 1941. The original petitioner and the Midland Electric Coal Corporation were represented at the conference.

At the conference the original petitioner made the following representations:

Midland now has on its tracks twenty-two cars of RHEO reject washed carbon ("Middlings" from 4' x 0 washer crushed to $\frac{3}{8}$ " x 0 mixed with minus 28 mesh

sludge from dewatering screens and run through a Rheo separator). This coal has been sold regularly at the minimum prices established for washed $\frac{3}{8}$ " x 0 coals (Size Group 25). Customers now have ceased buying this coal because of its inferior quality and will not buy it at the minimum prices established for Size Group 25. These 22 cars of coal have been on track for two to three weeks and the M. & St. L. Railroad has informed Midland that such coal must be disposed of immediately or else be unloaded. This would result in a total and irreparable injury to Midland. The Central Illinois Light Company has agreed to take such coal and pay for it on the basis of its fuel value as compared with the raw $1\frac{1}{2}$ " screenings, (Size Group 14) that it normally buys for its East Peoria Plant. This plant ordinarily obtains the bulk of its fuel requirements from code members in the Fulton Peoria Subdistrict of District No. 10, who are members of Middle States Fuel, Inc., a marketing agency operating pursuant to section 12 of the Act, and the Peabody Coal Company's mines in the Central Illinois Subdistrict of District No. 10. Neither Middle States Fuel nor Peabody objects to the requested relief. The granting of the requested relief will not prejudice any producer.

In view of the foregoing circumstances, it appears that a reasonable showing of necessity has been made for the granting of the temporary relief requested; and that an adequate showing has been made of actual or impending injury in the event that such relief is not granted.¹

Now, therefore, it is ordered, That temporary relief in the above-entitled matter is granted as follows: Commencing forthwith the Midland Electric Coal Corporation may sell from its Middle Grove Mine, Mine Index No. 95, of District 10, to Central Illinois Light Company, for use in its East Peoria Plant, twenty-two cars of " $\frac{3}{8}$ " x 0 Rheo reject washed carbon", which has already been produced and is now loaded in railroad cars at the mine, at the best price obtainable: *Provided, however,* That when such shipments are completed, the original petitioner or the Midland Electric Coal Corporation, shall obtain and file in this docket, an affidavit from the Central Illinois Light Company setting forth (1) kind, size and analysis of the coal delivered; (2) the names of the mines producing such coal; (3) the tonnage delivered pursuant to the relief herein granted; (4) the price paid for such coal; (5) a detailed statement of the basis upon which the price paid was determined: *And provided further,* That all orders, acknowledgments and invoices covering coal shipped pursuant to the relief herein granted shall specify that

¹ It appears that petitioner takes the position that this coal is unmarketable at its present classification. Under these circumstances the original petitioner or Midland should hereafter proceed appropriately under section 4 II (d) of the Act, instead of filing recurrent petitions for temporary relief.

the coal was shipped pursuant to the relief granted in Docket A-940.

Dated: July 8, 1941.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-4867; Filed, July 9, 1941;
10:14 a. m.]

[Docket Nos. A-153, A-186]

PETITIONS OF SHERWOOD-TEMPLETON COAL COMPANY FOR REVISION OF THE EFFECTIVE MINIMUM PRICES FOR MINE INDEX 108, DISTRICT 11, IN WASHED INDUSTRIAL SIZES, AND MAUMEE COLLIERIES COMPANY FOR REVISION OF THE EFFECTIVE MINIMUM PRICES FOR MINE INDEX 102, DISTRICT 11, IN WASHED INDUSTRIAL SIZES, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

MEMORANDUM OPINION CONCERNING APPLICATION OF INTERVENER DISTRICT BOARD 10 FOR LEAVE TO TAKE THE DEPOSITIONS OF, AND FOR THE ISSUANCE OF SUBPOENAS DIRECTED TO, CERTAIN SPECIFIED PERSONS; AND NOTICE OF AND ORDER FOR FURTHER CONTINUANCE OF HEARING AND REMOVAL THEREOF TO CHICAGO, ILLINOIS

The proceedings in the above-entitled matters were instituted upon original petitions respectively filed by the Sherwood-Templeton Coal Company on October 15, 1940, as amended on October 29, 1940; and by the Maumee Collieries Company on October 18, 1940, as amended on October 18, and November 19, 1940. After an informal conference temporary relief was granted in Docket No. A-153 on November 2, 1940. By orders dated November 8 and December 27, 1940, temporary relief, after informal conferences, was granted in Docket No. A-186.

By Order of the Director dated November 9, 1940, the above-entitled matters were consolidated for hearing on December 9, 1940, at the Offices of the Division in Washington, D. C. The hearing commenced and evidence was received on that date. The hearing was then continued for the taking of further evidence until February 7, 1941, at the Offices of the Division in Washington, D. C. The hearing resumed as scheduled, and additional evidence was received on February 7 and 8, 1941. Thereupon the hearing was further continued until March 11, 1941, when it was again continued until April 22, 1941. Pursuant to further continuances, by Orders dated April 18 and May 28, 1941, the hearing is now scheduled to resume on July 16, 1941, at the Offices of the Division in Washington, D. C.

On June 9, 1941, intervenor District Board 10 filed an application for leave to take the depositions of some twenty-two named individuals, on June 23, 1941, and thereafter on the days following, until completed, at a specified place in Chicago, Illinois; and also for the issuance of subpoenas directed towards twenty of these individuals, and subpoenas duces tecum directed towards the other two,

requiring their attendance on June 23, 1941, and following days, at the same place in Chicago, Illinois.

In support of the application for leave to take the depositions, and for subpoenas, it is alleged that intervenor "will not be able to secure the attendance in Washington D. C., of witnesses whose testimony is essential to a proper presentation of the facts which are of importance in determining the issues involved in this proceeding; that the subject matter concerning which the said witnesses are expected to testify is the relative market values and burning qualities of Friar Tuck and Airedale washed screenings, Size Groups 23 and 24 in the Schedule of Effective Minimum Prices for District No. 11, and other Indiana and Illinois coals."

In support of the application for the issuance of subpoenas duces tecum, intervenor asserts that it expects thereby "to contribute to the proof of the superiority of Friar Tuck No. 5 washed screenings in the plants" of the concerns whose records it seeks to have produced.

On June 13, 1941, Sherwood Templeton Coal Company and the Maumee Collieries Company, the original petitioners in the above-entitled matters, filed pleadings in opposition to the aforesaid application of Intervenor District Board 10.

In support of their opposition the petitioners allege that the individuals in question are their customers or agents of their customers; that the intervenor knows, as a result of interviews held by its representatives with these individuals, that their testimony would support the petitioners; that petitioners believe intervenor's purpose is not to procure pertinent evidence, but is to harass and embarrass the petitioners; that to compel all of the individuals to appear on the same day would greatly interfere with their business affairs, as they could not all be examined on the same day; that the inconvenience consequently imposed upon them would be attributed to their purchases from the petitioners, and would thus react unfavorably to the latter, destroying good will created by years of business dealings; that the granting of the intervenor's application would place these individuals in an improper position since, as intervenor's witnesses, they could not be protected by the petitioners from irrelevant questions relating to their private affairs, and also because the commissioner would have no authority to forbid improper questions, but could only note them in his report; that the Director has not heretofore issued any subpoenas compelling the attendance of witnesses for the purpose of taking depositions; that in circumstances such as these subpoenas should be issued on a full showing of necessity, coupled with a statement of the substance of the facts to which the witnesses are expected to testify; that the issuance of subpoenas as a matter of course would be liable to

abuse in proceedings before the Division involving controversies between producers, in that it might be used to harass and embarrass customers of antagonists.

In addition, the petitioners move that if an order is entered granting the application of intervenor, a provision be included therein forbidding any witness to be present during the examination of any other witness. In support thereof, petitioners urge that otherwise the marketability of their coals would be prejudiced because some of their customers would be influenced by unfavorable comments of other witnesses concerning objectionable features of petitioners' coals, and that the good will of customers would be endangered by the probable disclosure, without explanation by the petitioners of the reasons therefor, of variations both in the prices at which petitioners' coals were sold to different customers and in the services rendered by petitioners to their customers; that petitioners believe that one of intervenor's purposes is to embarrass and harass the petitioners by assembling representatives of their customers to listen to testimony indicating such variations, while petitioners are not afforded an opportunity to explain the circumstances giving rise to them.

The petitioners further move that in the event that the intervenor's application is granted, they be authorized to cross-examine the witnesses and to object to questions propounded by intervenor which they deem to be improper; and that the intervenor be required to have each witness' deposition, including objections and cross-examinations, reduced to writing, and that a copy thereof be furnished petitioners; that petitioners be afforded the right to introduce in evidence any pertinent testimony contained in any deposition which the intervenor fails to introduce in evidence.

Petitioners request oral argument before the Director or an Examiner concerning intervenor's application and their opposition thereto.

Petitioners have also filed an application for leave to take the deposition of all of the persons named in intervenor's application, and, in addition, two other witnesses, on June 23 and following days, at the same place specified by intervenor in its application. In support of their application, petitioners allege that "the subject matter concerning which said witnesses are expected to testify is the physical and burning characteristics of the coals of Friar Tuck Mine No. 5 and the coals of the Airedale Mine in Size Groups 23 and 24 in the Schedule of Effective Minimum Prices for District No. 11, and relative market value of the coals of said two mines in said size groups in relation to other coals of Indiana and Illinois."

Subsequently, on June 26, 1941, the intervenor filed a reply to the objection of petitioners to its application. In the reply intervenor denies petitioners' alle-

gations as to its motives; notes that petitioners' objection is not signed by any counsel, and is verified by an officer of the original petitioners only as to the facts stated in the objection and "not [as] to the scandalous and defamatory beliefs which are there asserted"; opposes the request for the exclusion of witnesses, during the testimony of other witnesses, as unprecedented and as requiring the exclusion of a person employed by District Board No. 10, whose presence during the taking of testimony is asserted to be essential; states that it has no objection to the cross-examination of the witnesses by petitioners; asserts that petitioners' request for permission to introduce in evidence any material evidence in the depositions not introduced by intervenor is predicated on an unfounded assumption that intervenor will not obey the rules of the Division; states that it does not oppose the petitioners' application for leave to take depositions, but opposes the application insofar as examination of the same witnesses at the same time and place specified by intervenor is sought, on the ground that it would produce an impossible situation because no proper procedure could be established and no officer of the Division would be present to settle "unescapable" controversies; concedes that the proceedings will be much more orderly if they are conducted before an examiner and consents to the construction of this concession as a request for a hearing (apparently in Chicago); renews its application for depositions and subpoenas at the same place previously specified, but on July 7, 1941, and days following, rather than on June 23, 1941, and days following, as originally requested.

Careful consideration of the issues here presented and of the charges and counter charges made by the contending parties indicates that the deposition procedure is an inappropriate procedure for the introduction of the testimony in question. It is manifest that, for the most part, the testimony which is sought is of the nature of expert opinion, rather than factual data. This circumstance renders it highly desirable that the testimony be submitted in a formal manner, subject to the safeguards attendant upon full and orderly examination and cross-examination. However, it appears that the presence of the desired witnesses cannot conveniently be secured in Washington, D. C., and that the requirement that they attend in Washington, D. C., would impose a serious burden both upon the witnesses and the parties to this proceeding.

Accordingly, I am of the opinion that the hearing in the above-entitled matters, previously scheduled to be held at 10 o'clock in the forenoon of July 16, 1941, at the Offices of the Division in Washington, D. C., should be continued until convenient date upon which it may be removed to Chicago, Illinois.

In its reply intervenor did not indicate whether or not it desired to press its

request for the issuance of subpoenas in the event that the hearing was removed to Chicago, Illinois. It is therefore unnecessary to consider the issues thereby raised at this time. If it desires, intervenor may subsequently renew its request for the issuance of subpoenas. However, it must be emphasized that where the testimony of so many different individuals is sought in connection with the same subject, a clear showing should be made that the testimony of each is necessary; that the testimony to be adduced will not be merely cumulative in character. At least a more specific statement than intervenor has heretofore presented should be made concerning the particular facts to which the various individuals are expected to testify. Furthermore, where the attendance of a great many witnesses on the same day is sought to be compelled by subpoenas, some showing should be made that their convenience will be taken into account, so that they will not be compelled to remain in attendance for any unreasonable length of time pending the completion of the testimony of other persons.

Now, therefore, it is ordered, That the hearing in the above-entitled matter heretofore continued until 10 o'clock in the forenoon of July 16, 1941, at the Offices of the Division in Washington, D. C., be continued until 10 o'clock in the forenoon of July 30, 1941, and be removed for hearing at that time to a hearing room of the Division in Room 325, New Post Office Building, Chicago, Illinois.

Dated: July 8, 1941.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-4868; Filed, July 9, 1941;
10:14 a. m.]

National Park Service.

DESIGNATING THE McLOUGHLIN HOME NATIONAL HISTORIC SITE

OREGON

Correction

The land description appearing in the third column on page 3299 of the issue for Tuesday, July 8, 1941, is corrected by changing "8394 acres" to read "8394 acres."

Office of Indian Affairs.

CHEYENNE RIVER RESERVATION, SOUTH
DAKOTA

ORDER OF RESTORATION

Correction

The first item of the land description appearing in the first column on page 3300 of the issue for Tuesday, July 8, 1941, is corrected by changing "Township 14 North" to read "Township 10 North."

DEPARTMENT OF AGRICULTURE.

Surplus Marketing Administration.

[Docket No. AO 59-A 4]

NOTICE OF HEARING WITH RESPECT TO A PROPOSAL TO AMEND THE TENTATIVELY APPROVED MARKETING AGREEMENT, AS AMENDED, AND ORDER NO. 22, AS AMENDED,¹ REGULATING THE HANDLING OF MILK IN THE CINCINNATI, OHIO, MARKETING AREA

Notice is hereby given of a hearing to be held at the Hotel Gibson, 4th and Walnut Streets, Cincinnati, Ohio, beginning at 10:00 a. m., e. s. t., on July 21, 1941, on proposed amendments to the tentatively approved marketing agreement, as amended, and to Order No. 22, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area.

This notice is given pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and of the General Regulations, Series A, No. 1, as amended, of the Agricultural Adjustment Administration, United States Department of Agriculture.

Proposed amendments have been submitted by the Cincinnati Sales Association to increase the price of Class I milk to \$3.00 per hundredweight and the price of Class II milk to \$2.25 per hundredweight.

Amendments have been submitted by the Cooperative Pure Milk Association to amend the order so as to provide for an individual handler plan of pooling instead of a market-wide equalization pool.

Amendments have been proposed by the Matthews-Frechling Dairy to delete from the order all provisions relative to new producers; place milk drinks, whether plain or flavored, in Class II instead of Class I, and take creamed cottage cheese out of Class II and place it in Class III; provide for the computation of the volume of Class I milk on a butterfat basis rather than on a milk volume basis; and provide for the ascertainment of the price of outside Class II milk in the same manner as outside Class I milk.

Copies of the proposed amendments may be obtained from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington, D. C., in Room 0310, South Building, or may be there inspected.

Dated: July 9, 1941.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 41-4872; Filed, July 9, 1941; 11:13 a. m.]

¹ 5 F. R. 4724.

DEPARTMENT OF COMMERCE.

Civil Aeronautics Authority.

[Docket No. 463]

IN THE MATTER OF THE APPLICATION OF NORTHWEST AIRLINES, INC., FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 401 OF THE CIVIL AERONAUTICS ACT OF 1938, AS AMENDED

NOTICE OF HEARING

The above-entitled proceeding, being the application of Northwest Airlines, Inc., for certificate of public convenience and necessity authorizing air transportation between Chicago and Minneapolis-St. Paul via Milwaukee, Green Bay, Wausau and Eau Claire, Wisconsin, is hereby assigned for public hearing on July 24, 1941, 10 o'clock a. m. (Eastern Standard Time) at the Willard Hotel, 14th Street and Pennsylvania Avenue, Washington, D. C., before Examiner John W. Belt.

Dated Washington, D. C., July 8, 1941.
By the Civil Aeronautics Board.

[SEAL] THOMAS G. EARLY,
Secretary.

[F. R. Doc. 41-4962; Filed, July 9, 1941; 9:34 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order No. 119]

APPOINTMENT OF INDUSTRY COMMITTEE NO. 35 FOR THE SHOE MANUFACTURING AND ALLIED INDUSTRIES

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, Philip B. Fleming, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the shoe manufacturing and allied industries (as such industries are defined in paragraph 2) an industry committee composed of the following representatives:

For the Public. Monsignor Francis J. Haas, Chairman, Washington, D. C.; Robert W. Brown, Jefferson City, Missouri; C. Emanuel Ekstrom, Providence, Rhode Island; Edgar M. Hoover, Jr., Ann Arbor, Michigan; Elizabeth S. Magee, Cleveland, Ohio; Elizabeth Morrissey, Baltimore, Maryland; John J. Murray, Boston, Massachusetts; Thomas L. Norton, Buffalo, New York; Tipton R. Snively, Charlottesville, Virginia.

For the Employers. Frank W. Anderson, Chicago, Illinois; C. Frank Farrell, New York, New York; Powers Hapgood, Indianapolis, Indiana; Michael F. Lynch, Haverhill, Massachusetts; John J. Mara, Boston, Massachusetts; J. William McGonigal, Moberly, Missouri; Henry A. Schwarzott, St. Louis, Missouri; Harold

C. Sears, Brockton, Massachusetts; Mrs. Mae Young, Lynn, Massachusetts.

For the Employers. Stuart H. Armstrong, Worcester, Massachusetts; John A. Faulkner, Lynchburg, Virginia; Nathan Fein, Reading, Pennsylvania; Irving S. Florsheim, Chicago, Illinois; Morgan Grossman, Brooklyn, New York; H. Edgar Jenkins, St. Louis, Missouri; Charles F. Johnson, Endicott, New York; John E. Lucey, Middleboro, Massachusetts; Henry O. Rondeau, Boston, Massachusetts.

Such representatives having been appointed with due regard to the geographical regions in which such industries are carried on.

2. For the purpose of this order the term "shoe manufacturing and allied industries" means:

(a) The manufacture or partial manufacture of footwear from any material and by any process except knitting, vulcanizing of the entire article or vulcanizing (as distinct from cementing) of the sole to the upper.

(b) The manufacture or partial manufacture of the following types of footwear, subject to the limitations of paragraph (a) but without prejudice to the generality of that paragraph:

Athletic shoes.	Puttees, except spiral
Boots.	puttees.
Boot tops.	Sandals.
Burial shoes.	Shoes completely re-
Custom-made boots	built in a shoe
or shoes.	factory.
Moccasins.	Slippers.

(c) The manufacture from leather or from any shoe-upper material of all cut stock and findings for footwear, including bows, ornaments and trimmings.

(d) The manufacture of the following types of cut stock and findings for footwear from any material except from rubber or composition of rubber, molded to shape:

Outsoles.	Shanks.
Midsoles.	Boxtoes.
Insoles.	Counters.
Taps.	Stays.
Lifts.	Stripping.
Rands.	Sock linings.
Toplifts.	Heel pads.
Bases.	

(e) The manufacture of heels of any material except molded rubber, but not including the manufacture of wood-heel blocks.

(f) The manufacture of cut upper parts for footwear, including linings, vamps and quarters.

(g) The manufacture of pasted shoe stock.

(h) The manufacture of boot and shoe patterns.

3. The definition of the shoe manufacturing and allied industries covers all occupations in the industries which are necessary to the production of the articles covered in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however,*

That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. The industry committee herein created shall meet on August 25, 1941, at 10 a. m. in Conference Rooms A and B, Interdepartmental Auditorium, Constitution Avenue, between 12th and 14th Streets Northwest, Washington, D. C., and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industries and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at Washington, D. C., this 8th day of July 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-4878; Filed, July 9, 1941;
11:53 a. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 10, 1941. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, AND EXPIRATION DATE

Artercraft Shirt Company, Lewistown, Pennsylvania; Apparel; Shirts; 37 learners (75% of the applicable hourly minimum wage); October 23, 1941.

Best Value Cap Manufacturing Company, Trading Cove, Norwich, Connecticut; Apparel; Caps; 3 learners (75% of the applicable hourly minimum wage); January 10, 1942.

Chesnin and Leis, Inc., Pine Street, Walden, New York; Apparel; Ladies' Underwear; 5 percent (75% of the applicable hourly minimum wage); July 10, 1942.

Colonial Manufacturing Company, 2362 University Avenue, St. Paul, Minnesota; Apparel; Aprons; 25 learners (75% of the applicable hourly minimum wage); October 23, 1941.

Congress Shirt Company, 831 Middle Street, Bath, Maine; Apparel; Men's & Boys' Shirts, Pants & Sportswear; 20 learners (75% of the applicable hourly minimum wage); October 23, 1941.

Dunhill Shirt Company, Ninth and Franklin Streets, Lexington, Missouri; Apparel; Men's Dress & Sport Shirts; 10 learners (75% of the applicable hourly minimum wage); November 6, 1941.

Gordon Brothers Manufacturing Company, Inc., 2617 Grand Street, Kansas City, Missouri; Apparel; Dresses & Slack Suits; 25 learners (75% of the applicable hourly minimum wage); November 6, 1941.

The Paris Neckwear Company, Inc., Walnutport, Pennsylvania; Apparel; Neckwear; 18 learners (75% of the applicable hourly minimum wage); October 23, 1941.

W. P. Powell and Son, Inc., 207 Main Street, Worcester, Massachusetts; Apparel; Robes, Sleeping Wear; 5 learners (75% of the applicable hourly minimum wage); July 10, 1942.

R & R Garment Company, 119 Church Avenue, Ephrata, Pennsylvania; Apparel; Ladies' Slips; 20 learners (75% of the applicable hourly minimum wage); November 6, 1941.

Raritan Leather Sportswear, Woodbridge Avenue, Piscataway, New Jersey; Apparel; Snowsuits, Leather Coats; 6 learners (75% of the applicable hourly minimum wage); October 23, 1941.

Standard Garment Company, Inc., 120 North George Street, York, Pennsylvania; Apparel; Dresses; 25 learners (75% of the applicable hourly minimum wage); October 23, 1941.

Universal Sportswear Manufacturing Company, 116 Merrimac Street, Boston, Massachusetts; Apparel; Rainwear & Reversibles; 10 learners (75% of the applicable hourly minimum wage); November 6, 1941.

Walden Underwear Company, Inc., North Church Street, Goshen, New York; Apparel; Ladies' Underwear; 60 learners (75% of the applicable hourly minimum wage); November 6, 1941.

Berlin Glove Company, Berlin, Wisconsin; Gloves; Leather Dress and Work Gloves; 3 learners; July 10, 1942.

Albany Manufacturing Company, Albany, Georgia; Hosiery; Full Fashioned Hosiery; 67 learners; March 10, 1942.

Belle Meade Hosiery Mills, Inc., Nashville, Tennessee; Hosiery; Seamless Hosiery; 5 learners; July 10, 1942.

Conover Knitting Company, Newton, North Carolina; Hosiery; Seamless Hosiery; 5 percent; July 10, 1942.

Conover Knitting Company, Conover North Carolina; Hosiery; Seamless Hosiery; 5 learners; July 10, 1942.

Elm Silk Hosiery Mill, North Wales, Pennsylvania; Hosiery; Full Fashioned Hosiery; 1 learner; July 10, 1942.

Harriman Hosiery Mills, Harriman Tennessee; Hosiery; Seamless Hosiery; 10 percent; July 10, 1942. (This certificate replaces one effective November 15, 1940.)

Miller-Smith Hosiery Mills, Etowah, Tennessee; Hosiery; Full Fashioned Hosiery; 10 learners; July 10, 1942.

Norris Hosiery Mill, Bell Buckle, Tennessee; Hosiery; Seamless Hosiery; 6 learners; March 10, 1942.

Van Raalte Company, Inc., Willingham Circle, Blue Ridge, Georgia; Hosiery; Full Fashioned Hosiery; 60 learners; March 10, 1942.

The American Mills Permoflex Plant, 158 Orange Avenue, West Haven, Connecticut; Textile; Narrow Elastic Fabrics; 10 learners; October 9, 1941.

Boysell Company, Inc., 118 East Airline Avenue, Gastonia, North Carolina; Textile; Bedspreads, Bathmats; 13 learners; December 31, 1941.

Jefferson Mills, Inc., Pulaski, Virginia; Textile; Nylon; 3 percent; July 10, 1942.

Liberty Throwing Company, Inc., Pringle & Zerbey Avenue, Kingston, Pennsylvania; Textile; Rayon Throwing; 3 percent; July 10, 1942.

Liberty Throwing Company, Inc., Walnut & Church Streets, Nanticoke, Pennsylvania; Textile; Rayon Throwing; 3 percent; July 10, 1942.

Parkersburg Silk Mills, Inc., Parkersburg, West Virginia; Textile; Silk; 3 percent; July 10, 1942.

Worth Mills, 3500 McCart Street, Fort Worth, Texas; Textile; Automobile Cord Tire Fabric; 20 learners; November 15, 1941.

Signed at Washington, D. C., this 9th day of July 1941.

GUSTAV PECK,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-4879; Filed, July 9, 1941;
11:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-15]

IN THE MATTER OF HAMILTON MANUFACTURING COMPANY

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1941.

The Hamilton Manufacturing Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Class A Preferential Participating Stock, \$10 Par Value, from listing and registration on The Chicago Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 A. M. on Tuesday, August 5, 1941, at the office of the Securities & Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4874; Filed, July 9, 1941;
11:20 a. m.]

[File Nos. 70-342, 70-346]

IN THE MATTER OF WISCONSIN ELECTRIC POWER COMPANY, AND THE NORTH AMERICAN COMPANY

NOTICE OF AND ORDER FOR HEARING AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D., 1941.

The North American Company, a registered holding company, having on July 5, 1941, filed a declaration or application (or both) (File No. 70-346) pursuant to the Public Utility Holding Company Act of 1935 with respect to (a) its sale to Wisconsin Electric Power Company, a subsidiary of The North American Company, of all of the common stock of Wisconsin Michigan Power Company, and (b) its acquisition of 1,265,000 shares of the common stock of Wisconsin Electric Power Company; and

The Wisconsin Electric Power Company having on June 30, 1941, filed an application or declaration (or both) (File No. 70-342) with respect to the same transactions, i. e., (a) its acquisition of the above described securities of Wisconsin Gas & Electric Company and Wisconsin Michigan Power Company, and (b) the issuance of the aforesaid common stock of Wisconsin Electric Power Company, which application was by order of this Commission dated July 5, 1941, set for hearing on July 24, 1941; and

It appearing that each of these applications or declarations (or both) involve common questions of law and fact; that the evidence offered in respect of each may have a bearing on the other; and that substantial savings in time, effort, and expense will be effected if the hearings thereon are consolidated;

It is ordered, That the hearings on the above described applications or declarations (or both) of Wisconsin Electric Power Company and The North American Company be, and the same are hereby consolidated. The Commission reserves the right, if at any time it may appear conducive to an orderly and economic disposition of any of said matters, to order a separate hearing concerning such matter, to close the record with respect to any of the matters, or to take action on any of the matters prior to closing of the record on the other matter.

It is further ordered, That the consolidated hearing under the applicable provisions of said Act and the rules of the Commission thereunder be held on July 24, 1941, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 19, 1941.

The matter concerned herewith is in regard to:

1. The proposal of The Wisconsin Electric Power Company:

(a) To acquire from The North American Company (1) all of the common stock of Wisconsin Gas & Electric Company consisting of 300,000 shares of a par value of \$20 per share or an aggregate par value of \$6,000,000, and (2) all of the common stock of Wisconsin Michigan Power Company consisting of 300,000 shares of a par value of \$20 per share or an aggregate par value of \$6,000,000, and

(b) To issue to The North American Company 1,265,000 shares of the common stock of Wisconsin Electric Power Company having a par value of \$10 per share or an aggregate par value of \$12,650,000 in payment for the above described securities to be acquired by it.

2. The proposal of The North American Company:

(a) To sell to Wisconsin Electric Power Company the above described common stock of Wisconsin Gas & Electric Company and Wisconsin Michigan Power Company, and

(b) To acquire from Wisconsin Electric Power Company the aforesaid 1,265,000 shares of the latter's common stock in payment for the above described securities to be sold to such issuer by The North American Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4875; Filed, July 9, 1941;
11:20 a. m.]

[File Nos. 31-461, 31-472]

IN THE MATTER OF MOREAU MANUFACTURING CORPORATION

ORDER DISMISSING APPLICATIONS IN PART AND DENYING APPLICATIONS IN PART

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 8th day of July, A. D. 1941.

Moreau Manufacturing Corporation having applied under section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for orders declaring it not to be a subsidiary company of International Hydro-Electric System, of Joseph B. Ely, C. Brooks Stevens, and Henry G. Wells, as Trustees under a Trust Agreement dated January 31, 1939, of Niagara Hudson Power Corporation, or of The United Corporation; a hearing on said applications having been duly held; the record having been duly considered; and the Commission having this day issued its Findings and Opinion;

It is ordered, That the said applications, insofar as they seek an order declaring applicant not to be a subsidiary of Joseph B. Ely, C. Brooks Stevens, and Henry G. Wells, be, and the same hereby are, dismissed, and that in all other respects the said applications be, and the same hereby are, denied.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4876; Filed, July 9, 1941;
11:20 a. m.]

No. 133—3

IN THE MATTER OF MONROE MARKS, DOING
BUSINESS AS MONROE MARKS COMPANY,
3525 PERRY AVENUE, BRONX, NEW YORK,
NEW YORK

ORDER REFUSING TO PERMIT WITHDRAWAL
AND REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of July, A. D. 1941.

Proceedings having been instituted pursuant to order of the Commission dated March 27, 1941, to determine whether the registration of Monroe Marks, doing business as Monroe Marks Company, a sole proprietorship, should be revoked or suspended; the registrant having thereafter filed a notice requesting withdrawal of registration; a hearing having been held after appropriate notice to the registrant; the trial examiner's report having been filed; the Commission being fully advised in the premises and having this day issued its Findings and Opinion; and having found

that the registrant is permanently enjoined by order of the Supreme Court of the State of New York from engaging in certain conduct and practices in connection with the purchase and sale of securities, that the registrant wilfully violated Rule X-15B-2 of the Commission's Rules and Regulations under the Securities Exchange Act of 1934, and that it is in the public interest to revoke his registration as an over-the-counter broker and dealer;

It is ordered, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registrant's request for withdrawal of registration be denied and that the registration of Monroe Marks, doing business as Monroe Marks Company, a sole proprietorship, be and it is hereby revoked.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4877; Filed, July 9, 1941;
11:20 a. m.]

